

Before the
UNITED STATES COPYRIGHT ROYALTY BOARD
Washington, D.C.

In the Matter of:)	
)	
DETERMINATION OF RATES)	Docket No. 21-CRB-0001-PR
AND TERMS FOR MAKING AND)	(2023-2027)
DISTRIBUTING PHONORECORDS)	
(Phonorecords IV))	
)	

DECLARATION AND CERTIFICATION OF CLAYTON J. MASTERMAN
REGARDING RESTRICTED MATERIALS

(On behalf of Amazon.com Services LLC)

1. I am an associate at Kellogg, Hansen, Todd, Figel & Frederick, P.L.L.C., counsel for Amazon in the above-captioned proceeding.
2. I respectfully submit this declaration and certification pursuant to the terms of the Amended Protective Order dated November 4, 2021 (“Protective Order”). I am authorized by Amazon to submit this Declaration.
3. I am familiar with the Services’ Motion to Compel the Copyright Owners to Produce Documents, including the accompanying Declaration and Exhibits (collectively, “the Motion”).
4. I have reviewed the definitions and terms provided in the Protective Order. After consultation with my client and the other participants, I have determined to the best of my knowledge, information and belief that the Motion contains information that a participant has designated as “confidential information” as defined by the Protective Order (“Protected Material”).

5. Such Protected Material includes highly confidential internal business information that a participant has reasonably determined to be proprietary, not available to the public, and commercially sensitive.

6. Amazon is bound under the Protective Order to treat as “Restricted” information designated “Confidential Information” by other participants in the proceedings. Amazon is treating that information as “Restricted” and redacting such information in accordance with the terms of the Protective Order. Amazon reserves all rights and arguments as to whether such information is, in fact, “Confidential Information.”

Pursuant to 28 U.S.C. § 1746, I hereby declare under the penalty of perjury that, to the best of my knowledge, information and belief, the foregoing is true and correct.

Dated: May 24, 2022
Washington, D.C.



Clayton J. Masterman
(D.C. Bar No. 1671791)
1615 M Street, N.W., Suite 400
Washington, D.C. 20036
Phone: (202) 326-7900
Fax: (202) 326-7999
cmasterman@kellogghansen.com

Counsel for Amazon.com Services LLC

Proof of Delivery

I hereby certify that on Tuesday, May 24, 2022, I provided a true and correct copy of the Declaration and Certification of Clayton J. Masterman Regarding Restricted Materials to the following:

Spotify USA Inc., represented by Joseph Wetzel, served via E-Service at
joe.wetzel@lw.com

Copyright Owners, represented by Benjamin K Semel, served via E-Service at
Bsemel@pryorcashman.com

Pandora Media, LLC, represented by Benjamin E. Marks, served via E-Service at
benjamin.marks@weil.com

Johnson, George, represented by George D Johnson, served via E-Service at
george@georgejohnson.com

Zisk, Brian, represented by Brian Zisk, served via E-Service at brianzisk@gmail.com

UMG Recordings, Inc., represented by Steven R. Englund, served via E-Service at
senglund@jenner.com

Joint Record Company Participants, represented by Susan Chertkof, served via E-Service
at susan.chertkof@riaa.com

Apple Inc., represented by Mary C Mazzello, served via E-Service at
mary.mazzello@kirkland.com

Google LLC, represented by Gary R Greenstein, served via E-Service at
ggreenstein@wsgr.com

Sony Music Entertainment, represented by Steven R. Englund, served via E-Service at
senglund@jenner.com

Warner Music Group Corp., represented by Steven R. Englund, served via E-Service at
senglund@jenner.com

Powell, David, represented by David Powell, served via E-Service at
davidpowell008@yahoo.com

Signed: /s/ Joshua D Branson